



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

Washington, D.C. 20460

OFFICE OF  
GENERAL COUNSEL

JUN 13 2018

Hueston Hennigan LLP  
523 West 6<sup>th</sup> St., Suite 400  
Los Angeles, CA 90014

Dear Counsel,

This letter is to inform you that the U.S. Environmental Protection Agency is still considering claims submitted in connection with the Gold King Mine incident, and to request additional information necessary for processing certain claims. In accordance with the EPA's regulations implementing the Federal Tort Claims Act at 40 C.F.R. § 10.4, within three months of the date of this letter, please submit the following for these particular claims:

- (b) (6) : Please provide more information, including medical documentation, in support of the \$10,000 claimed for the alleged wrist injury.
- (b) (6) : Please provide more information and documentation regarding the sale, give away, and death of cattle, sheep and horses, including proof of ownership, sales receipts, and veterinarian records as applicable.
- (b) (6) : Please provide more information and documentation regarding the sale of cattle, including proof of ownership, sales receipts, and veterinarian records as applicable. In addition, please provide more information, including medical documentation, regarding hospital visits for high blood pressure and visits to the chiropractor.
- (b) (6) : Please provide more information and documentation on how the cancellation of the University of Arizona's Farm to School Program was caused by the Gold King Mine incident and led to a loss of \$25,000 and early retirement.
- (b) (6) : Please provide more information and documentation regarding the sale of livestock below market value, including proof of ownership and sales receipts as applicable.
- (b) (6) : Please provide more information and documentation on how the cancellation of the University of Arizona's Farm to School Program was caused by the Gold King Mine incident and led to a loss of \$2,000.
- (b) (6) : Please provide more information and documentation regarding the death of sheep, including veterinarian records as applicable, and how those deaths were caused by the Gold King Mine incident.

- (b) (6) Please provide a full copy of the claim; at least one page was missing from the initial submission. In addition, please provide more information and documentation regarding the sale of livestock below market value, including proof of ownership and sales receipts as applicable. Finally, please provide information and documentation on the cow that went missing, including proof that it died and how its death was caused by the Gold King Mine incident.
- (b) (6) Please provide more information and documentation supporting the claim for lost work on other farms totaling \$3,000 in 2015 and \$2,500 in 2016.
- (b) (6) Please provide more information and documentation regarding the failed attempts to sell sheep and cattle and why those failed attempts amount to \$1,800 in damages.
- (b) (6) Please provide more information and documentation in support of the claim for lost work on other farms totaling \$3,000 for 2015 and 2016 combined.
- (b) (6) Please provide more information, including medical documentation, in support of the \$424 claim for alleged knee and shoulder injuries.
- (b) (6) Please provide more information and documentation regarding the sale at a loss of sheep, goats, and lamb, including proof of ownership, sales receipts, and veterinarian records as applicable.

For all other claimants represented by your firm seeking agricultural damages, please submit a copy of the claimant's land use permit if applicable. If the name on the land use permit does not match the claimant, please provide documentation, such as inheritance records, showing that the land use permit belongs to the claimant.

Additionally, you are invited to submit any other evidence which may have a bearing on the responsibility of the United States for either the injury or the damages claimed. Please note that submission of documentation does not guarantee payment. Please submit any documentation you wish the agency to consider within three months either electronically to [R8\\_GKM\\_Claims@epa.gov](mailto:R8_GKM_Claims@epa.gov), or to the following address by U.S. Postal Mail:

U.S. EPA Office of General Counsel  
 Attention: Gold King Mine Claims  
 1200 Pennsylvania Avenue, NW (MC 2399A)  
 Washington, DC 20460

If you have any questions, you may contact the EPA Office of General Counsel, Civil Rights and Finance Law Office at (202) 564-2738.

Sincerely,

A handwritten signature in black ink, appearing to read 'K Redden', with a stylized flourish at the end.

Kenneth Redden  
Deputy Associate General Counsel  
Civil Rights and Finance Law Office  
Office of General Counsel